

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

August 27, 2014

The meeting was called to order at 4:04 p.m. by Chairman Phil Conder at 3600 Constitution Blvd., West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, Barbara Thomas, Clover Meaders, and Latai Tupou

ABSENT

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Kevin Despain, Jody Knapp, and Nichole Camac

AUDIENCE

Approximately 17 (seventeen) people were in the audience

CONDITIONAL USE APPLICATIONS

C-41-2014

Learn N Play Preschool (Henning and Alisha Ungerman)

6337 S Clover Creek Lane

Home Preschool

R-1-8 Zone (0.18 Acres)

The applicants, the Ungermans, are requesting a major home occupation as a conditional use for a home preschool named Learn N Play. The zoning for this area is R-1-8 and major home occupations are a conditional use in this zone. The West Valley City General Plan anticipates low density residential for this area.

Sessions will be Monday and Wednesday from 9 am to 12 pm, and Tuesday and Thursday from 9 am to 11 am. There will be no more than 6 children per session. The classes will be primarily conducted indoors. On occasion, students will utilize the back yard. The backyard is fully fenced with a 6 foot tall fence with a locked gate. Children will be supervised at all times.

The area to be used for the preschool is located in a portion of the basement. The portion that will be used for the class is approximately 20% of the lower level of the house. (200 square feet of 1,000 square feet). The class will be accessed from the garage and down some stairs. The space will not be entirely dedicated to the preschool. During non-school hours the area will be used for family activities. The room includes two large windows which will serve as egress in the case of emergencies. The class also has a bathroom.

The driveway area provides plenty of space for a drop-off. Many of the children will live in the vicinity and will walk to class with a parent. Pick up and drop off times do not conflict with the nearby Diamond Ridge school schedule times.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, as well as the following:

1. Drop off and parking areas are to be on the driveway and may not be on the street.
2. No more than six (6) students per session.
3. Shall comply with all requirements of affected departments and agencies, including the West Valley City Fire Department and the Salt Lake Valley Health Department.
4. Subject to review upon valid complaint.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Henning and Alisha Ungermann
6337 S Clover Creek Lane

Discussion: Kevin Despain presented the application. Alisha Ungermann, the applicant, stated that she will open the garage 5 minutes prior to class, will stay in the garage while children enter, and will close the garage 5 minutes after class ends. She indicated that she will ensure everyone is inside the home and safe before class begins. Terri Mills asked if the garage door has sensors. Ms. Ungermann replied yes. Commissioner Mills asked if there are chemicals stored in the garage. Ms. Ungermann

replied that the garage will primarily store holiday decorations and other similar items. She indicated that sharp tools can be stored in a shed if necessary. Henning Ungermann, the applicant, stated that chemicals, such as paint, can also be stored on higher shelves. Ms. Ungermann stated that there will always be someone in the garage, even if an emergency arises inside. Commissioner Fuller advised teaching children not to exit the garage in the event of a fire or other emergency. Ms. Ungermann replied that they would exit by the main door or two large windows in the basement.

Motion: Commissioner Thomas moved for approval subject to the 4 staff conditions.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-41-2014 Approved

C-42-2014

The Way We Roll (Jared Kim)
1839 West 3500 South Ste 2A&B
Restaurant liquor license
C-2 Zone (3.67 Acres)

Introduction:

The applicant, Jared Kim, is requesting a conditional use for a restaurant with liquor at 1839 West 3500 South Ste 2A&B. The property is zoned C-2, General Commercial. A restaurant with a liquor license is listed as a conditional use in the C-2 Zone. C-2 zoning borders this property to the west, east, and across the street to the north. The General Plan designation is General Commercial.

This restaurant is the end tenant of a retail center with self-storage units to the south. The retail center has a variety of commercial businesses. There was previously a restaurant in this tenant space. The applicant would like to operate as a restaurant with liquor. Their menu will include various wines, heavy beer, and Sake. They will be applying for a Limited Service Restaurant license through the Department of Alcohol and Beverage Control (DABC).

This location meets all of the spacing requirements set forth in section 7-6-1011 of the West Valley City Code.

Staff Alternatives:

Approval of the conditional use for The Way We Roll, a restaurant with a liquor license, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. Must meet the requirements of all affected departments and agencies, including but not limited to, the Department of Alcohol and Beverage Control (DABC).

2. Shall comply the spacing requirements for alcohol establishments as set forth in the West Valley City Municipal Code.

Continuance for reasons determined at the hearing.

Applicant:

Jared Kim
1839 W 3500 S

Discussion: Kevin Despain presented the application. Jared Kim, the applicant, stated that a car crashed into the boarded up window but indicated that this will be repaired as soon as possible. He stated that the business will not open until a new window has been installed. Barbara Thomas asked if there is adequate room behind the building for delivery trucks. Mr. Kim replied yes. Commissioner Thomas asked what is behind the building. Mr. Kim replied that there is an addition that was installed by the previous owner that is used for storage.

Motion: Commissioner Matheson moved for approval subject to the 2 conditions listed by staff.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-42-2014 Approved

C-43-2014

Dominion Engineering

3464 W. 3500 S.

C-2 Zone (.93 Acres)

The applicant, Dominion Engineering, is requesting an extension to their conditional use permit. This permit was approved by the Planning Commission on September 11, 2013 (C-40-13). The approval was for construction of a new building for an existing McDonald's fast food restaurant located at 3464 West 3500 South.

The construction has been delayed due to budget allocations within the corporate office so the applicant has requested an extension. They believe construction should begin in the beginning of 2015.

A copy of the applicant's extension request letter and the previous staff report have been provided for further information if necessary.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing

Applicant:

Darrin Perkes
5684 S Green Street

Discussion: Jody Knapp presented the application. Jack Matheson asked if footings will be poured during the winter. Darrin Perks, the applicant, stated that demolition will begin early next year but indicated that he isn't sure when the footings will be poured. Commissioner Matheson asked what the difference in size is between the existing building and the new one proposed. Mr. Perks replied that he is unsure because it has been a year since this project was initially proposed.

Motion: Commissioner Thomas moved for approval.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-43-2014 Approved

C-44-2014

ARA Industrial Center

Approx. 6700 W. Utah Hwy 201

M Zone (131 Acres)

The applicant, Natomas Meadows, is requesting a conditional use for an office/warehouse park at approximately 6700 West Utah Hwy 201. This property is zoned M, Manufacturing, and the West Valley City General Plan designates this area as Light Manufacturing. The zoning to the north across UT Hwy 201 is M, Manufacturing, it is A (Agricultural) to the east, A-1 (Agricultural with one-acre min) to the south, and A, R-1-12 and M to the west. The surrounding uses include Rocky Mountain Raceway, vacant land to the east and south and residential and auto towing yards to the west.

The following application is a request for master plan approval for a 131 acres Industrial Park. The development will consist of five (5) buildings ranging in size from 360,000 square feet up to 633,000 square feet. The buildings will be constructed of tilt up concrete for the main warehouse and loading dock areas and then the entrance/office portions will be primarily glass. This facility is not required to meet the Commercial Design Standards due to the use being limited to a manufacturing zone.

The landscaping requirement in the M zone is 5%, and the applicants have provided 10% for this site. The north side of the property is designed to meet the Landscaping Standards Along High Image Arterials section of the Municipal Code and includes a bermed lawn area with trees. Landscaping has also been provided throughout the parking lots and along the office portions of the building. The western edge of the site will include a landscaped area that ranges from 30' up to 50' to create a larger buffer to the adjacent uses.

A 6' wall will be provided along the east side of the site. The northern portion of this wall that is adjacent to commercial uses will consist of a combination of masonry and wrought iron. The portion adjacent to the residential uses will be a 6' tall solid masonry fence.

Due to the multiple public roads through this site there is approximately 12,000 feet of frontage throughout this center. With monument signs, a site is permitted one sign for every 200' of frontage. Therefore that would be approximately 60 signs. However, with this development they have chosen to consolidate that signage and construct three sets of entrance-type features that provide space for tenants to advertise. This space is approximately 7' by 7' which is typical of a multi-tenant monument sign. There will also be space provided for the name of the Industrial Park itself. Utilizing the bonus criteria guidelines in the Sign Ordinance, under section 11-4-111, the Planning Commission has the authority to approve an alternative sign design for unique or special circumstances. Staff feels that due to the overall size of this development that consolidating the number of signs and creating a standard design would be a benefit to this development and supports having the larger signage in those designated areas as illustrated in the sign plan. The applicant has also indicated that additional tenant signage will be available along the walls of the buildings and directional signs throughout the center as well. Lastly, one larger 50' pole sign will be located at the northwest corner of the site. No other signage has been proposed for this center.

A lighting plan must be submitted that complies with the standards set forth in the West Valley City Code. Several dumpsters are located throughout this area and they will all be secured within a 6' masonry enclosure and additional landscaping has been proposed around these facilities to help further screen them from view. Any mechanical equipment proposed on site or on the building shall also be properly screened from view per the standards set forth in the West Valley City Code.

Staff Alternatives:

Approval, subject to the resolution of any issues raised at the public hearing and the following conditions.

1. The building and site must be constructed per the approved plans.
2. There must be adequate parking on site for the proposed tenant mix.
3. The landscaping must be completed per the approved plan and in accordance with applicable standards in the West Valley City Municipal Code including but not limited to the standards for Landscaping Along High Image Arterials.
4. A 6' tall masonry wall must be provided along areas that are adjacent to residential uses.
5. Signage shall include the three sets of entrance features per the approved plans, as well as one pole sign and wall signs that comply with the West Valley City Code.
6. All lighting shall be designed per Title 7 and installed in accordance with the approved lighting plan.
7. All dumpster locations shall be completely secured with a 6' masonry enclosure.
8. All mechanical equipment on site must be properly screened.
9. Must meet requirements of all effected departments and agencies.

Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Corbin Bennion
5684 S Green Street

Applicant:

Wade Budge
15 W South Temple

Applicant:

Brad Ross

Neutral:

Mike Lund
7200 W 2100 S

Discussion: Jody Knapp presented the application. Jack Matheson asked what part of the signage is lit. Jody replied that only the top portion of the pole sign, the wording on the walls, and then a backlight portion on the attached monument signs. Commissioner Matheson asked what the phases for the project will be. Corbin Bennion, representing the applicant, replied that building B will be the first phase and building C will likely be phase two. He indicated that phases will primarily be determined by the market. Commissioner Matheson clarified that the new road will be constructed between building B and C. Mr. Bennion replied yes. Barbara Thomas asked what “ARA” means. Brad Ross, representing the owner, replied that it means ‘prosperity’. Commissioner Thomas asked if calling this “Freeport” will confuse people since there is already a Freeport Center in Utah. Mr. Corbin replied that the “ARA” name will differentiate them. Terri Mills asked if there are any prospective tenants. Mr. Bennion replied no.

Michael Lund, a neighboring property owner, asked how close the proposed sign will be to his property. Jody replied that setback requirements must be met and added that a 6 foot wall will be constructed between this property and Mr. Lund’s. Mr. Lund asked if the existing road between properties will be used for delivery. Jody replied that there will be a wall so that road will not be used. Mr. Lund asked if a road will ever extend to 7200 S. Jody replied that this hasn’t been determined but if a connection is made it will not be near Mr. Lund’s property and will not impact it. Commissioner Matheson asked what type of business Mr. Lund operates. Mr. Lund replied that it is an impound lot.

Commissioner Mills stated that she is concerned about the residents to the west and how this development may impact them. She asked if there is a limit to hours of operation. Jody replied that there is no limit to hours in this zone but added that the noise ordinance is still in place and must be met. Commissioner Matheson clarified that a masonry wall will be built next to residential homes. Jody replied yes. Brent Fuller stated that there is mostly businesses to the west with the exception of the southwest corner. Commissioner Matheson asked if wetland designation in the area has been declassified. Commissioner Thomas stated that any type of wetland that may have existed no longer does. Wayne Budge, representing the applicant, stated that there have never been wetlands classified on this property.

Motion: Commissioner Thomas moved for approval subject to the 9 items listed by staff.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-44-2014 Approved

C-45-2014

Questar Gas CNG Fueling Station

5175 West 2100 South

M Zone (2 Acres/51.81 total acres)

The applicant, Curtis Ball with Stantec representing Questar Gas and Swift Transportation, is requesting a conditional use amendment for a CNG Fueling Station at 5175 West 2100 South. The zoning for this area is M, Manufacturing. The West Valley City General Plan anticipates light manufacturing uses for this area. The surrounding zone is Manufacturing on all sides and the surrounding uses include similar trucking business.

On June 11, 2014 the Planning Commission approved a truck parking lot expansion for Swift Transportation (C-22-14). The expansion included 9.35 acres along the south end of the site with frontage along 2400 South. Shortly after receiving that approval Questar met with the property owners to discuss locating a CNG Fueling Station on this property. Therefore, they would like to modify approximately 2 acres of the expansion area to include this facility.

The station will be open to the general public but will be a card swipe facility only so there will not be an attendant on site. The only structures that will be constructed will include three fueling islands, a canopy and a compressor/equipment compound. The equipment area will be located behind a screened fence.

The entire perimeter of the lease space will be landscaped with rock mulch and a combination of deciduous and evergreen trees with shrubs and grasses to match the landscaping along the proposed expansion area. The landscaping along the street frontage will be completed per the conditions set forth in C-22-14.

The signage proposed for the canopy must comply with the wall sign ordinance in Title 11 and no additional signage has not been proposed as part of this application.

Trash facilities are currently not proposed for this facility but Staff recommends that trash receptacles either be provided adjacent to the pumps or a dumpster with a masonry enclosure be provided adjacent to the equipment storage area.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. Site design and landscaping must be constructed per the approved plans which shall include one tree every 30' and a mixture of shrubs, grasses and perennials for coverage of 50% live plant material.
2. The equipment storage area shall be located behind a screened fence.
3. Trash facilities shall be provided for this use. If a dumpster is located on site it must be screened with a 6' masonry enclosure.
4. Signage shall comply with all sections of the Sign Ordinance and require building permit approval prior to installation.
5. Subject to review upon valid complaint

Continuance, to allow for the resolutions of any issues raised at the public hearing or to allow for a revised site plan/elevations to be submitted.

Applicant:
Chris Balling
1140 W 200 S

Discussion: Jody Knapp presented the application. Jack Matheson asked where the nearest natural gas station is. Jody replied that the applicant can address this. Terri Mills asked what type of material the detention basin is. Jody replied that the detention basin is just gravel but outside of this there will be a tree every 30 feet and 3 bushes per tree.

Chris Balling, representing the applicant, stated that Questar Fueling is separate from Questar Gas. He indicated this is natural gas fueling for trucking and is a nationwide company. Mr. Balling stated that the nearest station is in West Jordan and this location was picked due to the industrial uses in the area. Mr. Balling distributed images of the proposed signage. He indicated that access is being shared with the Swift Trucking facility. He stated that signage will provide direction and help with traffic flow on the site. Commissioner Mills asked how often this site will be maintained. Mr. Balling replied that there will be someone there every day to service compressors and they will clean up the site and maintain landscaping as well. Brent Fuller asked if there is chance of spills. Mr. Balling replied that this gas rises instead of going into the ground and indicated that only a small buffer tank is stored on site. Clover Meaders asked if there is a number people can call if there are issues. Mr. Balling replied yes and indicated that there is a button people can push if there are problems but added that sensors alert the company of any problems long before customers would experience them. Barbara Thomas asked if the fuel hoses have a snap off mechanism. Mr. Balling replied that there is a breakaway and if this happens the entire station will be shut down and the Fire Department will be notified.

Motion: Commissioner Meaders moved for approval subject to the 5 conditions listed by staff.

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-45-2014 Approved

C-46-2014

Popeyes

Benchmark Engineering (LeeAnn Miller)

5658 W. parkway Blvd.

Restaurant with drive-thru

C-2 zone, 1.39 acres

The applicant, LeeAnn Miller with Benchmark Engineering, representing Popeyes Louisiana Kitchen, is requesting conditional use approval for a restaurant with a drive-thru located at 5658 West Parkway Blvd. The zoning for this property is C-2, General Commercial and the General Plan designation is General Commercial. The surrounding zone is C-2 with RM zoning to the south. The surrounding uses include the WinCo shopping center to the north and west, a Maverik gas station to the east, and the Balmoral Townhomes to the south.

The building is proposed to be 2,961 square feet and will contain approximately 60 seats for dining. The architecture of the building will be consistent with the existing buildings in this center and will be

constructed of stucco with a stone wainscot and will utilize awnings and metal balconies as accent features. The building must comply with the Commercial Design Standards and the Development Agreement for the overall project requires that the east and west sides of the buildings be considered a primary façade for the requirements of the Design Guidelines for Commercial Buildings.

The majority of the parking area for this lot was developed as part of the overall shopping center and will not be modified, however the building footprint area will need to be changed slightly to accommodate the drive-thru. Additional landscaping is proposed along the north and west sides of the site to help screen the drive-thru from view. The landscaping along Parkway Boulevard was also completed previously and is maintained as common area for the shopping center.

There are 48 parking stalls provided on this parcel as well as a shared parking agreement with the entire center. This use requires 35 stalls so the site can accommodate this use and adequate stacking has been provided for the drive-thru area.

A pedestrian connection has been provided which connects to an existing crosswalk. There is an existing dumpster pad provided for this building that will be removed and relocated closer to the building and a 6' masonry enclosure will be provided for that dumpster.

Signage for this site is proposed on the walls of the building and on the existing signage for the center. No additional ground signage is proposed for this site and all signage will be constructed in accordance with the Sign Ordinance.

Staff Alternatives

Approval subject to any issues raised at the public hearing as well as the following conditions:

1. The building must be completed per the approved plans and be designed in accordance with the Commercial Design Standards and the Development Agreement.
2. The site shall be landscaped per the approved plans and all existing landscaping must be maintained and/or replaced if it is in poor condition.
3. There must be adequate parking for the proposed restaurant use.
4. The dumpster shall be completely screened and secured with a 6' masonry enclosure.
5. All mechanical equipment on site must be properly screened.
6. All signage must comply with the West Valley City Sign Ordinance.
7. Must meet requirements of all effected departments and agencies.
8. Subject to review upon valid complaint.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

LeeAnn Miller
8130 S State Street
#100

Discussion: Jody Knapp presented the application. Barbara Thomas asked if there is supposed to be an apostrophe in Popeyes. Jody replied that she doesn't believe so. LeeAnn Miller, the applicant, clarified that there is no apostrophe and indicated that this is a national chain based out of Louisiana. Jack Matheson asked if there are other locations in Utah. Ms. Miller replied there is one in Lehi, West Jordan, Orem, and one being constructed in Herriman. Terri Mills asked why the green metal structure has been placed over the drive through. Ms. Miller replied that it provides additional decoration. Commissioner Mills stated that painting this red may help with the overall appearance. Commissioner Mills asked what changes to the façade are being proposed to meet the ordinance. Ms. Miller replied that additional columns may be added but she isn't sure specifically yet. She indicated that this is a prototypical building but added that more stone has been included to minimize stucco. Jody stated the building is only short one thing to meet the ordinance and adding a column will satisfy it.

Motion: Commissioner Fuller moved for approval subject to the 8 items listed by staff.

Commissioner Meaders seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	No
Commissioner Tupou	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Majority-C-46-2014 Approved

C-47-2014

The Tire Hunter (Justin Robertson)

2850 S Redwood Rd Unit: C-1/C-2

C-3 Zone (4.84 Acres)

Approved Use: Auto Repair

The applicant, Justin Robertson representing The Tire Hunter, requests conditional use amendment approval for an auto repair shop at 2850 S Redwood Road in units C-1&C-2. The zoning for this area is C-3, Transitional Commercial. The West Valley City General Plan anticipates in this area for Commercial and Light Manufacturing. The area to the north includes various offices and light manufacturing uses which are zoned Manufacturing. The area to the south is the Oquirrh Meadows Assisted Living facility. There is C-2 General Commercial across the street.

The buildings were approved in 1984 (C-25-1984) as an Office/Warehouse Park. In 2008, the property owners received approval for an amendment to the original conditional use to lift some former use limitations and reestablish conditions of approval for the site. One of the conditions states, "Auto sales and service are prohibited at this time. If a future auto sales or service use is proposed it must be approved by the Planning Commission in a public hearing." Another condition of approval states that no outside storage will be allowed.

This application is to approve an auto repair shop in building 'C' which is on the south side of the property. There is a 60 foot 'alley' between buildings 'C' and 'B' to the north. The tenant space is 3,200 square feet

with 2,600 square feet for warehouse/shop space and 600 square feet for the office. There are two overhead doors and man doors accessed from the alley. All repair work will be conducted inside the building within the shop area which includes two lifts and a third service area for light repair work. No junk cars will be stored anywhere except inside the shop area. There will be no overnight outside storage of vehicles.

The shop will work on fleet account clientele that Tire Hunter employees will pick up. The shop will also be open to the general public. Vehicles that are delivered to the site will either be driven in or by tow truck. Since they will not be conducting body work repairs, the majority of repairs are not on totaled or junk cars. Tire Hunter will also do mobile diagnostics for collision companies throughout the Salt Lake Valley. Any work that is done off-site will be conducted using the equipment in the individual shop locations.

Hours of operation will be from 8 am – 6 pm, Monday to Friday and by appointment only on Saturday. Repairs will be mainly minor repairs, where vehicles are in and out on the same day.. All oils and fluids will be stored in appropriate containers that will be taken to recycling facilities once full.

West Valley City Parking Ordinance requires 3 parking stalls per service bay. This use shall require a minimum of 9 parking stalls. These will be accommodated in front of the business and also along the west side of the property. Tire Hunters have limited shop space and do not anticipate a large volume of customer traffic coming to site. The only signage for the use will be a simple sign provided over the front door.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The approved use is Auto Repair. Auto body work shall not be conducted.
2. There shall be no outside storage for this use.
3. Automotive repairs shall only be conducted within the building and shall not be conducted outside or in any parking areas.
4. The site is to be well-maintained and free of garbage or trash, including junk and inoperable vehicles.
5. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
6. All requirements of affected departments and agencies must be met including the West Valley City Fire Department.
7. This use is subject to review upon a valid complaint.

Applicant:

Justin Robertson

Discussion: Kevin Despain presented the application. Barbara Thomas clarified that access is gained off Redwood Road. Kevin replied yes and stated that there are 2 points of access. Justin Robertson, the applicant, stated that he has a computer scan tool that employees can take to the location of a car, plug in the scanner, and do a preliminary diagnostic. Jack Matheson asked if a re-flash can be done. Mr. Robertson replied yes.

Motion: Commissioner Fuller moved for approval subject to the 7 conditions listed by staff.

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	N/A
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-47-2014 Approved

MISCELLANEOUS APPLICATIONS

M-1-2014

West Valley City RDA

Development Agreement for Parking Structure

2846 West Lehman Avenue

CC Zone (1.94 acres)

The West Valley City Redevelopment Agency is requesting a development agreement to allow certain exceptions for the Fairbourne Station parking structure from the City Center (CC) Zone requirements. Section 7-6-1604 of the Zoning Ordinance states: "The requirements within the CC Zone may be superceded by a development agreement which is reviewed by the Planning Commission and reviewed and approved by the City Council."

By way of background, the parking structure will include 820 stalls, is 4 to 5 stories tall and includes a mostly brick exterior. Ground floor retail space is included along Lehman Avenue and Market Street.

The City's goal from the beginning of the design process was to make this parking structure attractive and unique. Given its location in the heart of Fairbourne Station, staff did not want a typical, grey concrete box for a parking structure. City staff has been working closely with the City's architect, EDA, to ensure that the parking structure meets the purposes and intent of the CC Zone. To illustrate this point, staff lists below the purposes of the CC Zone (underlined) as well as a brief description of how the parking structure meets the stated purpose:

- Create a recognizable center or downtown for West Valley City. This parking structure is designed to be unique while still fitting in with other Fairbourne Station development.
- Encourage and direct development that supports transit. Transit patrons will have access to 200 stalls within the structure.
- Encourage infill and redevelopment near the future transit station by City Hall. This project is redeveloping an existing surface park and ride lot into a parking structure.

- Reinforce the use of public transportation by locating higher-intensity development, including employment-oriented businesses and higher density residential uses, adjacent to transit stops. This parking structure enables higher-intensity development by reducing the need for surface parking.
- Encourage mixed-use development to reduce automobile dependency and roadway congestion by combining trips and locating destinations within walking and biking distances – all interconnected with transit. The ground level of the parking structure will include retail/office space along Lehman Avenue and Market Street.
- Provide a mix of housing types, costs and densities. While the structure does not include residential use, there is the potential for residential uses to utilize stalls within the structure.
- Promote architectural and site design treatments that enhance the visual appearance of development within the Zone. The use of brick, arches, glass, building relief, plazas, carefully designed landscaping and other treatments will certainly enhance the visual appearance of Fairbourne Station.

As described above, this project fulfills the purposes of the CC Zone; however, as staff anticipated when the CC Zone was drafted, there are exceptions to some of the CC Zone requirements that are needed for this project that can be addressed through a development agreement. The following are the requirements, the requested exceptions and the reasons for the exceptions:

1. The required minimum parking stall width is 9'. The proposed parking stall width shall be 8'-6". The width of 8'-6" is common for parking structures. Unlike many other parking structures, this structure will not have columns between parking stalls making it easier to get in and out of stalls. If we were to increase the stall width to 9', we would lose 54 parking stalls.
2. Parking structures are required to contain ground-level retail, office or display windows along all street fronting façades of the parking structure. The proposed structure does not include ground-level retail along Weigh Station Road. Ground-level retail is provided along Lehman Avenue and Market Street since we expect the most pedestrian traffic on these streets given the promenade, the light rail station and the Embassy Suites locations. Weigh Station is more of service road with utility boxes, dumpsters and parking. The north side of the structure is still attractive and includes substantial landscaping. Including ground-level retail on Weigh Station would reduce the number of parking stalls and generate the need for more parking.
3. All façades of buildings are required to be designed with consistent architectural style, detail and trim features of the primary façade. The middle section of the proposed west elevation does not include the same materials and design treatments as the rest of the building. Most of the west elevation will not be visible from the street without looking directly between the parking structure and the ICO apartments. The north and south ends of the west elevation (those portions that are most visible from the street) are designed to match the rest of the building.
4. Along Market Street, the minimum sidewalk width and maximum tree spacing are 10' and 20' respectively. The proposed sidewalk along Market Street is 9' and the tree spacing is approximately 30'. The narrower sidewalk width helped accommodate the angled parking in front of the structure which is more functional than parallel stalls. Between the tree planters and on the northeast and southeast corners of the property, the sidewalk is much wider, providing potential locations for outdoor dining. The increased tree spacing works better with the streetlight locations, provides openings for those parked on the street to maneuver between tree planters and aligns with the building design.
5. At least 70% of the building is required to be built to the back of the sidewalk with jogs of not more than two feet in depth to allow for architectural relief. Approximately 67% of the building is built to the back of the sidewalk with jogs varying between 3 to 4 feet. The greater jog depth creates spaces for landscape planters between tenant spaces and places greater emphasis on store front entries. The

slight reduction in the building frontage accommodates the vehicular entrances as well as plaza space adjoining the sidewalk.

6. Block lengths are required to not exceed 500 feet without providing some form of a pedestrian pathway that allows pedestrians to cross the block. The distance between the sidewalks along Market Street and Three Mill Lane is approximately 585'. Originally, the plan was to incorporate a walkway between the ICO apartments and the parking structure. However, given the limited spacing between the buildings and the placement of exterior stairways and utility meters, the space between the buildings was not suitable for a walkway. The resulting distance between sidewalks is still less than a downtown Salt Lake City block of 660'.
7. The ordinance limits wall signage to 10% of the front and 5% of the sides of a building. The proposed Fairbourne Station text and logos on the north, east and south elevations combined with future ground level tenant signs would exceed the percentage limits. The Fairbourne Station text and logos on the building help brand the area and not a specific business or tenant. For this reason, staff does not believe they should count toward signage.
8. The maximum tree spacing along Weigh Station Road is 25', which would result in 7' streets. There are 5 trees proposed. The proposed tree spacing works better with the placement of streetlights and is balanced by the addition of 6 smaller trees between the building and the sidewalk.
9. The maximum setback along Weigh Station Road is 10'. The proposed building setback varies between 8' and 12'. Since this side of the building does not have ground floor retail, the setback area provides space for substantial landscaping.

Staff Alternatives

1. Approval of the development agreement as the proposed parking structure design meets the purposes and intent of the CC Zone.
2. Continuance, for reasons determined during the public hearing.

Applicant:

West Valley City

Discussion: Steve Pastorik presented the application. Phil Conder stated that there has never been an 'M' application on the agenda and asked if this is a recommendation to the City Council, if this item can be denied by the Planning Commission, etc. Steve stated that requirements in the City Center zone can be superseded by a development agreement to be reviewed by the Planning Commission and City Council as per ordinance. He indicated that this is a recommendation to the City Council and added that they will make the final decision. Phil Conder stated that even though the first item has been withdrawn from the agenda (ZT-4-2014) it appeared to eliminate the option of development agreements to supersede requirements of the ordinance. Steve replied that City Council directed staff to eliminate this option for single family home design standards only. He indicated that this has been no longer advised by the Council so it was withdrawn from the agenda. Steve stated that this option exists to allow flexibility for people to come in with a good design that doesn't quite meet all the requirements but does meet the overall intent of the ordinance.

Terri Mills stated that obese or pregnant people may have a difficult time getting out of their cars in compact stalls and asked what the benefit of an additional 50 stalls is. Steve replied that it is typical for parking structures to have smaller dimensions for stalls which can relate to cost and it is also important to gain as many stalls as possible to minimize surface parking. Commissioner Mills asked if double cab trucks or extended beds will fit. Steve replied the depth hasn't changed but indicated all stalls are the same width other than the ADA stalls. Terri asked how many parking spaces there are at

Valley Fair Mall. Steve replied probably near 1000 but he isn't sure exactly. Brent Fuller asked who is anticipated to use the structure. Steve replied that there will be 4 to 5 floors and stated that the ground level and half of the second level will be designated for transit patrons. He indicated that the majority of the rest will be for a proposed office building to the east and a potential for additional parking for the residential apartments to the west. Phil Conder asked if a second structure may be needed in the future. Steve replied not likely and discussed the Master Plan for the area. Jack Matheson asked if motorcycle stalls have been considered. Steve replied that he believes there are designated motorcycle stalls on the ground level and added that there are bicycle racks on the perimeter of the structure as well.

Brent Fuller stated that he is concerned about the view from the ICO apartments. He stated that residents will be staring at cars in a parking structure that is just 20 feet away. Steve replied that the corners on this side will have brick treatments while the mid-section will look more like a typical concrete parking structure. Steve stated that this parking use has always been planned and anticipated and is important with the density of the area and proximity to transit. He indicated that in an urban type setting this is a situation that arises. Steve stated that the corners will be seen most from the street and staff felt the design emphasis should be on pedestrian views.

Barbara Thomas asked why the glass tower portion of the building extends higher. Steve replied that the elevator still has to go up 5 levels and indicated that all stalls are covered including stalls on the 5th floor. He indicated that this keeps vehicles out of the elements and helps with the longevity of structure. Steve added that there will be a covered walkway on the upper level for pedestrians as well. Terri Mills asked how the large letters on the glass portion of the structure apply to the sign ordinance. Steve replied that signage can occupy 10% of the front of a building and 5% on other sides. He indicated that the 'Fairbourne' lettering on the glass portion of the structure is meant to be a design feature and brands the area. He stated that it doesn't advertise anything so staff felt that it didn't count as signage. Commissioner Mills stated that smaller lettering would be effective as well and added that the retail shops should also have less signage allowed due to the proximity of residential. Jack Matheson stated that he likes the 'Fairbourne' lettering as it is. Barbara Thomas agreed and added that she likes the opening of the glass and doesn't feel the lettering changes anything. Steve stated that even though the building is tall, it doesn't provide more signage to the retail shops below since the calculations are based on a maximum height of 15 feet and the width of the building. Clover Meaders asked where funding is coming from. Steve replied it has been provided by the County, specifically from car registration fees.

Commissioner Fuller stated that he doesn't like the proximity of the structure to the apartments to the west and added that he hopes ICO will make residents aware of this. Commissioner Thomas stated that this is a downtown setting and buildings are close. Steve stated that this was always anticipated for the area. Commissioner Fuller indicated that this is a large 5 story building and questioned if it was always planned to be this. Steve replied original plans were 4 stories but ICO has been part of the entire process. Commissioner Mills asked how many parking stalls would be lost if the 5th story was removed. Steve replied about 100 but added that it wouldn't be a benefit because the ICO apartments are 4 stories as well so they would be the same height. Harold Woodruff suggested a screen of some type in the open areas that face the west to block the view into the structure for the residents. Steve replied that staff will explore this possibility with the architect but indicated that it is important to maintain ventilation throughout the structure. Commissioner Mills asked why the City didn't consider an underground parking structure. Steve replied that there is a high water table in the area as well as issues with the soil that prevented this option.

Motion: Commissioner Thomas moved for approval.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	No
Commissioner Mills	No
Commissioner Thomas	Yes
Commissioner Tupou	N/A
Commissioner Woodruff	Yes
Chairman Conder	No

Majority-M-1-2014 Approved

PLANNING COMISSION BUSINESS

Approval of Minutes from August 13, 2014 (Regular Meeting) **Approved**

Approval of Minutes from August 20, 2014 (Study Session) **Approved**

There being no further business, the meeting adjourned at 5:39 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant